

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA FLORIDA

FILED
2003 SEP 13:04

UNITED STATES OF AMERICA

v.

Case No.8:03-CR-77-T-30TBM

HATIM NAJI FARIZ
/

UNOPPOSED MOTION TO AMEND RETURN TRAVEL DATE

The Defendant, Hatim Naji Fariz, pursuant to 18 U.S.C. § 3142(c)(3), requests this Honorable Court to amend his previously approved return travel date from Chicago, Illinois, to the Middle District of Florida, from September 15, 2003, to September 19, 2003, and as good grounds therefor would show:

1. On August 4, 2003, Mr. Fariz filed an Unopposed Motion for Permission to Travel to Illinois from August 28, 2003, through September 15, 2003. That motion was granted by this Honorable Court on August 6, 2003. Doc 209.

2. On August 20, 2003, Mr. Fariz filed an Emergency Amended Unopposed Motion for Permission To Travel, requesting that Mr. Fariz be allowed to travel to Illinois sooner due to the fact that his mother had been hospitalized due to suspected heart problems. That motion was granted by this Honorable Court on the same day. Doc. 225.

3. Upon attempting to fly to Chicago to be with his mother during her surgery, Mr. Fariz was detained at Tampa International Airport and was denied boarding privileges on his scheduled flight. Mr. Fariz was told that his name is on an "no-fly" list maintained

by the Transportation Security Administration (TSA). Both Mr. Fariz and the undersigned counsel are currently unclear as to why Mr. Fariz's name is on such a list, particularly considering that co-defendant Gassan Ballut has been able to fly unfettered from Chicago to Tampa, and back, on more than one occasion since his release in this case. As a result of Mr. Fariz being denied air travel, Mr. Fariz's brother flew from Chicago to Tampa, and then drove with Mr. Fariz to Illinois in a rental car.

4. Before learning of his "no-fly" status, Mr. Fariz had planned to fly from Chicago to Tampa on September 15, 2003, after attending a wedding in the Chicago area on September 14th. However, considering Mr. Fariz will not now be able to fly, it will take him longer to drive back to the Middle District of Florida. In view of the fact that he may not have anyone to drive back to Florida with him, and he does not wish to drive non-stop (as he and his brother did in traveling to Chicago), in an abundance of caution, Mr. Fariz requests this Honorable Court to allow him through Friday, September 19, 2003, within which to return to the Middle District of Florida.

5. Assistant United States Attorney Terry Furr has been advised of this motion and has no objection.

MEMORANDUM

The judicial officer may at any time amend an order of release to impose additional or different conditions of release. 18 U.S.C. § 3142(c)(3). Mr. Fariz respectfully submits that the proposed amended travel return date proposed above is reasonable in view of circumstances beyond his control.

WHEREFORE, the Defendant, Hatim Naji Fariz, moves this Honorable Court for an order modifying his conditions of release to allow him to return to the Middle District of Florida on September 19, 2003, instead of on September 15, 2003, as previously authorized by this Court.

Respectfully submitted,


R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 29, 2003, a true and correct copy of the foregoing was hand delivered to Terry Furr, Assistant United States Attorney, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602.



Donald E. Horrox
Assistant Federal Public Defender